

Bystander Report: Court Appearance for Gwen on March 6, 2019 by Raymond A. Boldt

I was at the Bench after the Court issued its Rulings, as to Gwen Ervin and my Motion to Withdraw. I also had a Motion to Continue Hearing on behalf of Gwen Barlow set before Judge Seneczko.

When all of said matters had concluded, Judge Seneczko was asked by Jonathan Steele, about reissuing the Body Writ of Attachment against Raymond N. Ervin which had expired (more than one (1) year). Jonathan Steele admitted to Judge Seneczko, that he was not in Court on the expiration date of the Body Writ: February 19, 2019. Jonathan Steele further admitted to the Court, that he did not file any Motion with the Court to reissue, or extend the date of the Body Writ prior to the March 6, 2019 Court Date. Both acknowledging at the Bench, that a Body Writ is only valid or enforceable for a one (1) year period of time, pursuant to Statute. Jonathan Steele admitted that he had not provided any Notice to Raymond N. Ervin, or any other Party or Counsel of his oral request before the Court, to either reissue or extend the date of the Body Writ of Attachment. Raymond A. Boldt was told, that the Court would not entertain any statements from Raymond A. Boldt, as to the action on the Body Writ requested by Jonathan Steele, in as much as Raymond A. Boldt did not represent Raymond Ervin at the time, and has not represented Raymond N. Ervin for some time, therefore would not be permitted to comment.

Mr. Steele admitted to Judge Seneczko, that he probably should file a written Motion with the appropriate Notice of Motion to either reissue, or extend the date of the Body Writ of Attachment, and that he had not done so, and that Mr. Steele was asking the Court to consider the Oral Motion to reissue the Body Writ of Attachment.

Whereupon, Judge Seneczko made a comment that that she was unsure as to whether, or not a written Motion and Notice of Motion was required to either reissue, or extend the date of the Body Writ of Attachment. Judge Seneczko was unsure as to whether, or not the Statute required the Court to have a written Motion and Notice, or perhaps the party seeking the extension of the Body Writ should be required to file a written Motion and Notice of Motion with the Court, and provide appropriate time to the opposing party for the Hearing on the Motion.

Judge Seneczko then stated that she would be leaving the Bench to check the law, as to whether or not a written Motion and Notice of the same was required, as to the expired Body Writ of Attachment. There was no question, that Judge Seneczko, and Jonathan Steele knew that the Body Writ of Attachment had expired. There was no question, that all of said parties knew that no one appeared in Court on the date set for expiration of the prior Body Writ of Attachment issued for Raymond N. Ervin. No party had filed any written request, or Notice whatsoever with the Court, as to a possible extension of the Body Writ of Attachment, and Raymond N. Ervin was unaware of the Oral Request before the Court.

Judge Seneczko returned to the Bench, after approximately five (5) minutes, and simply stated that she would grant the oral Motion of Jonathan Steele. No justification was given. No statement that the appropriate Statute was checked, no statement, as to whether Case Law permitted the same, or anything resembling a reason for reissuing or extending the Body Writ of Attachment, without any type or kind of Notice and Motion to Raymond N. Ervin, or any other parties involved.

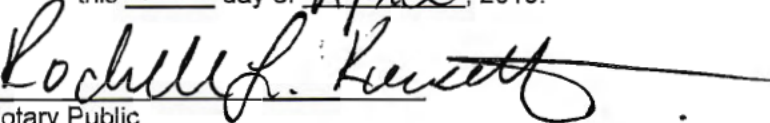
Raymond A. Boldt remarked to Jonathan Steele, that he believed that Notice and Motion should have been provided, as to the request for a new, or Alias Body Writ, that it was, in Raymond A. Boldt's opinion inappropriate to reissue or extend a Body Writ without prior Notice to the opposing party, or any other of the parties involved and that since Raymond A. Boldt was no longer Counsel to Raymond N. Ervin, there was no procedural due process to Raymond N. Ervin.



RAYMOND A. BOLDT

SUBSCRIBED & SWORN TO before me

this 23 day of April, 2019.



Notary Public



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